IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.S.RADHAKRISHNAN
&
THE HONOURABLE MR. JUSTICE M.N.KRISHNAN

TUESDAY, THE 5TH DECEMBER 2006 / 14TH AGRAHAYANA 1928

WP(C).No. 38772 of 2003(N)

PETITIONER:

T.P.K.CHETHU THOZHILALI UNION (C.I.T.U),
THALAPPILLI TALUK, VADAKKANCHERRY, THRISSUR,
PIN-680 582,REGISTER NO.342/81, REPRESENTED BY ITS
SECRETARY, N.V.SREEDHARAN, S/O. VELAYUDHAN,
AGED 60 YEARS, NAMBARATH HOUSE,MANGARA ENGAKKAD PO
VADAKKANCHERRY, THRISSUR.

BY ADV. SRI.SHAJI P.CHALY

RESPONDENTS:
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1. STATE OF KERALA,
REPRESENTED BY THE SECRETARY EXCISE,
SECRETARIAT, THIRUVANANTHAPURAM.

2. COMMISSIONER OF EXCISE,
COMMISSIONERATE OF EXCISE, THIRUVANANTHAPURAM.

3. THE ASSISTANT EXCISE COMMISSIONER,
EXCISE DIVISION, THRISSUR.

BY GOVERNMENT PLEADER SRI. NOBLE MATHEW

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 05/12/2006, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONERS EXHIBITS:

EXT.P1: COPY OF THE ABKARI POLICY FOR THE YEAR 2003-04 DECLARED BY THE FIRST RESPONDENT DATED 14/03/2003 BEARING NO.GO(MS)NO.43/03/TD.

EXT.P2: COPY OF THE GOVERNMENT ORDER ISSUED BY THE FIRST RESPONDENT DATED 21/03/2003.

TRUE COPY

P.A.TO JUDGE.

K.S.RADHAKRISHNAN & M.N.KRISHNAN,JJ

W.P.(C).No.38772 OF 2003

DATED THIS THE 5TH DECEMBER, 2006

JUDGMENT

K.S.RADHAKRISHNAN,J

This Writ Petition is allowed in the light of the decision of the Supreme Court in **Kerala Samsthana Chethu Thozhilali Union Vs. State of Kerala [2006 (2) KLT 270 (SC)].**

K.S.RADHAKRISHNAN,JUDGE.

M.N.KRISHNAN,JUDGE.

dvs